



Crl.O.P.No.20444 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20444 of 2025

M.Subramani

... Petitioner/Accused

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
North Police Station,
Tiruppur District.
(Crime No.681 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigation in Crime No.681 of 2025 on the file of the Respondent police.

For Petitioner : Mr.B.Balaji

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.06.2025, for the offences punishable under Sections 137(2) of BNS, 2023 (363



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of IPC) in connection with Crime No.681 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner kidnapped the victim girl on compulsion. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner and the victim were in love with each other, which was opposed by the victim's parents. The victim girl voluntarily accompanied the petitioner, which was now projected as though the petitioner kidnapped the victim girl on compulsion. Hence, he prayed to grant bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner and the victim girl had a love affair. The victim girl was found missing on 15.06.2025 and within three hours she was rescued. He further submitted that statement under Section 164 of Cr.P.C. of the victim is yet to be recorded.



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5. Heard both sides and perused the materials available on record.

6. Considering the submissions made on either side, it is seen that the petitioner and the victim girl were in love with each other, which was opposed by the victim's parents. The victim girl was found missing on 15.06.2025 and within three hours she was rescued. Further, the statement under Section 164 of Cr.P.C. is yet to be recorded. In view of the same, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Tiruppur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the



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respondent Police everyday at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



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[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.The Judicial Magistrate No.I,
Tiruppur.

2.The Inspector of Police,
North Police Station,
Tiruppur District.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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